

104TH CONGRESS
1ST SESSION

S. 854

To amend the Food Security Act of 1985 to improve the agricultural resources conservation program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 25 (legislative day, MAY 15), 1995

Mr. LUGAR (for himself and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to improve the agricultural resources conservation program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Agricultural Resources
5 Conservation Act of 1995”.

6 **SEC. 2. ENVIRONMENTAL CONSERVATION ACREAGE RE-**
7 **SERVE PROGRAM.**

8 Section 1230 of the Food Security Act of 1985 (16
9 U.S.C. 3830) is amended to read as follows:

1 **“SEC. 1230. ENVIRONMENTAL CONSERVATION ACREAGE**
2 **RESERVE PROGRAM.**

3 “(a) ESTABLISHMENT.—

4 “(1) IN GENERAL.—During the 1996 through
5 2005 calendar years, the Secretary shall establish an
6 environmental conservation acreage reserve program
7 to be implemented through contracts and the acqui-
8 sition of easements to assist owners and operators of
9 farms and ranches to conserve and enhance soil,
10 water, and related natural resources, including graz-
11 ing lands, wetlands, and wildlife habitat.

12 “(2) MEANS.—The Secretary shall carry out
13 the environmental conservation acreage reserve pro-
14 gram by—

15 “(A) providing for the long-term protection
16 of environmentally sensitive lands; and

17 “(B) providing technical and financial as-
18 sistance to farmers and ranchers to—

19 “(i) improve the management of the
20 operations of the farmers and ranchers;
21 and

22 “(ii) reconcile productivity and profit-
23 ability with protection and enhancement of
24 the environment.

25 “(3) PROGRAMS.—The environmental conserva-
26 tion acreage reserve program shall consist of—

1 “(A) the conservation reserve program es-
2 tablished under subchapter B;

3 “(B) the wetlands reserve program estab-
4 lished under subchapter C; and

5 “(C) the environmental quality incentives
6 program established under chapter 2.

7 “(b) ADMINISTRATION.—

8 “(1) IN GENERAL.—In carrying out the envi-
9 ronmental conservation acreage reserve program, the
10 Secretary shall enter into contracts with owners and
11 operators and acquire interests in lands through
12 easements from owners, as provided in this chapter
13 and chapter 2.

14 “(2) PRIOR ENROLLMENTS.—Acreage enrolled
15 in the conservation reserve program or wetlands re-
16 serve program prior to the effective date of this
17 paragraph shall be considered to be placed in the en-
18 vironmental conservation acreage reserve program.

19 “(c) CONSERVATION PRIORITY AREAS.—

20 “(1) DESIGNATION.—

21 “(A) IN GENERAL.—The Secretary shall
22 designate watersheds or regions of special envi-
23 ronmental sensitivity, including the Chesapeake
24 Bay region (located in Pennsylvania, Maryland,
25 and Virginia), the Great Lakes region, and the

1 Long Island Sound region, as conservation pri-
2 ority areas that are eligible for enhanced assist-
3 ance through the programs established under
4 this chapter and chapter 2. A designation shall
5 be made under this subparagraph if an applica-
6 tion is made by a State agency and agricultural
7 practices within the watershed or region pose a
8 significant threat to soil, water, and related
9 natural resources, as determined by the Sec-
10 retary.

11 “(B) ASSISTANCE.—To the extent prac-
12 ticable, the Secretary shall designate a water-
13 shed or region of special environmental sensitiv-
14 ity as a conservation priority area to assist ag-
15 ricultural producers within the watershed or re-
16 gion to comply with nonpoint source pollution
17 requirements established under the Federal
18 Water Pollution Control Act (33 U.S.C. 1251 et
19 seq.) and other Federal and State environ-
20 mental laws.

21 “(2) APPLICABILITY.—The Secretary shall, to
22 the maximum extent practicable, designate a water-
23 shed or region as a conservation priority area that
24 conforms to the functions and purposes of the con-
25 servation reserve program established under sub-

1 chapter B, the wetlands reserve program established
2 under subchapter C, or the environmental quality in-
3 centives program established under chapter 2, as ap-
4 plicable, if participation in the program is likely to
5 result in the resolution or amelioration of significant
6 soil, water, and related natural resource problems
7 related to agricultural production activities within
8 the watershed or region.

9 “(3) EXPIRATION.—A conservation priority
10 area designation shall expire on the date that is 5
11 years after the date of the designation, except that
12 the Secretary may—

13 “(A) redesignate the area as a conserva-
14 tion priority area; or

15 “(B) withdraw the designation of a water-
16 shed or region as a conservation priority area if
17 the Secretary finds that the area is no longer
18 affected by significant soil, water, and related
19 natural resource problems related to agricul-
20 tural production activities.”.

21 **SEC. 3. CONSERVATION RESERVE.**

22 Subchapter B of chapter 1 of subtitle D of title XII
23 of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.)
24 is amended to read as follows:

1 **“Subchapter B—Conservation Reserve**

2 **“SEC. 1231. CONSERVATION RESERVE.**

3 “(a) IN GENERAL.—During the 1996 through 2005
4 calendar years, the Secretary shall carry out the enroll-
5 ment of lands in a conservation reserve program through
6 the use of contracts to assist owners and operators of
7 lands specified in subsection (b) to conserve and improve
8 soil, water, and related natural resources, by taking envi-
9 ronmentally sensitive lands out of production.

10 “(b) ELIGIBLE LANDS.—The Secretary may include
11 in the program established under this subchapter—

12 “(1) highly erodible cropland that—

13 “(A) if permitted to remain untreated
14 could substantially impair soil, water, or related
15 natural resources; and

16 “(B) cannot be farmed in accordance with
17 a conservation plan implemented under section
18 1212;

19 “(2) marginal pasture land converted to a wet-
20 land or established as wildlife habitat;

21 “(3) marginal pasture land in or near riparian
22 areas that could enhance water quality;

23 “(4) cropland or pasture land to be devoted to
24 the production of hardwood trees, windbreaks,
25 shelterbelts, or wildlife corridors; and

1 “(5) cropland that is otherwise not eligible for
2 inclusion in the program—

3 “(A) if the Secretary determines that—

4 “(i) the land contributes to the deg-
5 radation of water quality or soil erosion, or
6 would cause on-site or off-site environ-
7 mental degradation if permitted to remain
8 in agricultural production; and

9 “(ii) water quality, soil erosion, or en-
10 vironmental objectives with respect to the
11 land cannot be achieved under the environ-
12 mental quality incentives program estab-
13 lished under chapter 2;

14 “(B) if the cropland is newly created, per-
15 manent grass sod waterways, or are contour
16 grass sod strips established and maintained as
17 part of an approved conservation plan under
18 this subchapter;

19 “(C) if the cropland will be devoted to
20 newly established living snow fences, permanent
21 wildlife habitat, windbreaks, or shelterbelts;

22 “(D) if the land will be devoted to
23 filterstrips that are contiguous to permanent
24 bodies of water or intermittent streams;

1 “(E) if the Secretary determines that the
2 land poses an off-farm environmental threat, or
3 pose a threat of continued degradation of pro-
4 ductivity due to soil salinity, if permitted to re-
5 main in production; or

6 “(F) if the land is highly erodible cropland
7 that will be used to restore wetlands and—

8 “(i) the land is prior converted wet-
9 land;

10 “(ii) the owners or operators of the
11 land agree to provide the Secretary with a
12 long-term or permanent easement under
13 subchapter C;

14 “(iii) there is a high probability that
15 the prior converted wetland can be success-
16 fully restored to wetland status; and

17 “(iv) the restoration of the areas oth-
18 erwise meets the requirements of sub-
19 chapter C.

20 “(c) CERTAIN LAND AFFECTED BY SECRETARIAL
21 ACTION.—For the purpose of determining the eligibility
22 of land to be placed in the conservation reserve established
23 under this subchapter, land shall be considered planted to
24 an agricultural commodity during a crop year if an action

1 of the Secretary prevented the land from being planted
2 to the commodity during the crop year.

3 “(d) ENROLLMENT.—

4 “(1) LIMITATION.—Not more than 36,400,000
5 acres (including acreage subject to contracts ex-
6 tended by the Secretary pursuant to section 1437 of
7 the Food, Agriculture, Conservation, and Trade Act
8 of 1990 (Public Law 101–624; 16 U.S.C. 3831
9 note)) may be enrolled in the conservation reserve in
10 any of the 1996 through 2005 calendar years.

11 “(2) PRIORITIES.—The Secretary shall, to the
12 maximum extent practicable, with each periodic en-
13 rollment of acreage (including acreage subject to
14 contracts extended by the Secretary pursuant to sec-
15 tion 1437 of the Food, Agriculture, Conservation,
16 and Trade Act of 1990 (Public Law 101–624; 16
17 U.S.C. 3831 note)), enroll acreage in the conserva-
18 tion reserve that meets the priority criteria for water
19 quality, soil erosion, and wildlife habitat provided in
20 subsection (e), and, to the maximum extent prac-
21 ticable, maximize multiple environmental benefits.

22 “(e) PRIORITY FUNCTIONS.—

23 “(1) IN GENERAL.—During all periodic enroll-
24 ments of acreage (including acreage subject to con-
25 tracts extended by the Secretary pursuant to section

1 1437 of the Food, Agriculture, Conservation, and
2 Trade Act of 1990 (Public Law 101-624; 16 U.S.C.
3 3831 note)), the Secretary shall evaluate all offers to
4 enter into contracts under this subchapter in light of
5 the priority criteria stated in paragraphs (2), (3),
6 and (4), and accept only the offers that meet the cri-
7 teria stated in paragraph (2) or (3), maximize the
8 benefits stated in paragraph (4), and maximize envi-
9 ronmental benefits per dollar expended. If an offer
10 meets the criteria stated in paragraph (4) and para-
11 graph (2) or (3), the offer shall receive higher prior-
12 ity, as determined by the Secretary.

13 “(2) WATER QUALITY.—

14 “(A) TARGETED LANDS.—Not later than
15 December 31, 2000, the Secretary shall enroll
16 in the conservation reserve narrow strips of
17 cropland or pasture, as filterstrips that are con-
18 tiguous to—

19 “(i) permanent bodies of water;

20 “(ii) tributaries or smaller streams; or

21 “(iii) intermittent streams that the
22 Secretary determines significantly contrib-
23 ute to downstream water quality degrada-
24 tion.

1 “(B) PURPOSES.—The lands may be en-
2 rolled by the Secretary in the conservation re-
3 serve to establish—

4 “(i) contour grass strips;

5 “(ii) grassed waterways; and

6 “(iii) other equivalent conservation
7 measures that have a high potential to
8 ameliorate pollution from crop and live-
9 stock production.

10 “(C) REQUIRED ENROLLMENT.—Not later
11 than December 31, 2000, the Secretary shall
12 enroll in the conservation reserve at least
13 4,000,000 acres under this paragraph.

14 “(D) PARTIAL AND WHOLE FIELDS.—En-
15 rollments under this paragraph may include
16 partial and whole fields, except that the Sec-
17 retary shall accord a higher priority to partial
18 field enrollments.

19 “(3) SOIL EROSION.—

20 “(A) IN GENERAL.—The Secretary shall
21 accept offers to enroll highly erodible land only
22 on fields that cannot be farmed by using the
23 best economically attainable conservation sys-
24 tem without high potential for degradation of
25 soil or water quality, and such potential deg-

1 radation cannot be alleviated through other
2 Federal or State conservation assistance pro-
3 grams.

4 “(B) BEST ECONOMICALLY ATTAINABLE
5 CONSERVATION SYSTEM.—In this paragraph,
6 the term ‘best economically attainable conserva-
7 tion system’ means a practice or practices de-
8 signed to significantly reduce soil erosion on
9 highly erodible fields in a cost-effective manner,
10 as specified by the Secretary.

11 “(C) PARTIAL FIELD ENROLLMENTS.—A
12 portion of a highly erodible field is eligible for
13 enrollment if the partial field segment would
14 provide a significant reduction in soil erosion.

15 “(4) WILDLIFE HABITAT BENEFITS.—

16 “(A) IN GENERAL.—The Secretary shall,
17 to the maximum extent practicable, ensure that
18 offers to enroll acreage under paragraphs (2)
19 and (3) are accepted so as to maximize wildlife
20 habitat benefits.

21 “(B) MAXIMIZING BENEFITS.—An offer
22 that satisfies paragraph (2) or (3) shall be ac-
23 cepted by the Secretary if the offer also maxi-
24 mizes wildlife habitat benefits, as determined by
25 the Secretary. For purposes of this paragraph,

1 the Secretary shall, to the maximum extent
2 practicable, maximize wildlife habitat benefits
3 through—

4 “(i) consultation with State technical
5 committees established under section
6 1261(a) as to the relative habitat benefits
7 of each offer, and accepting the offers that
8 maximize benefits; and

9 “(ii) providing higher priority to of-
10 fers that would be contiguous to—

11 “(I) other enrolled acreage;

12 “(II) a designated wildlife habi-
13 tat; or

14 “(III) a wetland.

15 “(C) COVER CROP INFORMATION.—The
16 Secretary shall provide information to owners
17 or operators about cover crops that are best
18 suited for area wildlife.

19 “(f) DURATION OF CONTRACT.—For the purpose of
20 carrying out this subchapter, the Secretary shall enter into
21 contracts of not less than 10, nor more than 15, years.

22 “(g) MULTIYEAR GRASSES AND LEGUMES.—For the
23 purpose of this subchapter, alfalfa and other multiyear
24 grasses and legumes planted in a rotation practice ap-

1 proved by the Secretary, shall be considered agricultural
2 commodities.

3 **“SEC. 1232. DUTIES OF OWNERS AND OPERATORS.**

4 “(a) IN GENERAL.—If required by the Secretary as
5 a term of a contract under this chapter, an owner or oper-
6 ator of a farm or ranch shall agree—

7 “(1) to implement a conservation plan approved
8 by the local conservation district (or in an area not
9 located within a conservation district, a conservation
10 plan approved by the Secretary) for converting eligi-
11 ble lands normally devoted to the production of an
12 agricultural commodity on the farm or ranch to a
13 less intensive use (as defined by the Secretary), such
14 as pasture, permanent grass, legumes, forbs, shrubs,
15 or trees, substantially in accordance with a schedule
16 outlined in the conservation plan;

17 “(2) to place highly erodible cropland subject to
18 the contract in the conservation reserve established
19 under this subchapter;

20 “(3) not to use the land for agricultural pur-
21 poses, except as permitted by the Secretary;

22 “(4) to establish approved vegetative cover, or
23 water cover for the enhancement of wildlife, on the
24 land, except that the water cover shall not include

1 ponds for the purpose of watering livestock, irrigat-
2 ing crops, or raising fish for commercial purposes;

3 “(5) in addition to the remedies provided under
4 section 1236(d), on the violation of a term or condi-
5 tion of the contract at any time the owner or opera-
6 tor has control of the land—

7 “(A) to forfeit all rights to receive rental
8 payments and cost-sharing payments under the
9 contract and to refund to the Secretary any
10 rental payments and cost-sharing payments re-
11 ceived by the owner or operator under the con-
12 tract, together with interest on the payments as
13 determined by the Secretary, if the Secretary
14 determines that the violation is sufficient to
15 warrant termination of the contract; or

16 “(B) to refund to the Secretary, or accept
17 adjustments to, the rental payments and cost-
18 sharing payments provided to the owner or op-
19 erator, as the Secretary considers appropriate,
20 if the Secretary determines that the violation
21 does not warrant termination of the contract;

22 “(6) on the transfer of the right and interest of
23 the owner or operator in land subject to the con-
24 tract—

1 “(A) to forfeit all rights to rental pay-
2 ments and cost-sharing payments under the
3 contract; and

4 “(B) to refund to the United States all
5 rental payments and cost-sharing payments re-
6 ceived by the owner or operator, or accept such
7 payment adjustments or make such refunds as
8 the Secretary considers appropriate and consist-
9 ent with the objectives of this subchapter, un-
10 less—

11 “(i) the transferee of the land agrees
12 with the Secretary to assume all obliga-
13 tions of the contract; or

14 “(ii) the land is purchased by or for
15 the United States Fish and Wildlife Serv-
16 ice, or the transferee and the Secretary
17 agree to modifications to the contract, if
18 the modifications are consistent with the
19 objectives of this subchapter as determined
20 by the Secretary;

21 “(7) not to conduct any harvesting or grazing,
22 nor otherwise make commercial use of the forage, on
23 land that is subject to the contract, nor adopt any
24 similar practice specified in the contract by the Sec-
25 retary as a practice that would tend to defeat the

1 purposes of the contract, except that the Secretary
2 may permit—

3 “(A) harvesting or grazing or other com-
4 mercial use of the forage on land that is subject
5 to the contract in response to a drought or
6 other similar emergency; and

7 “(B) limited grazing on the land if the
8 grazing is incidental to the gleaning of crop res-
9 idues on the fields in which the land is located
10 and occurs—

11 “(i) during the 7-month period during
12 which grazing of conserving use acreage is
13 allowed in a State under the Agricultural
14 Act of 1949 (7 U.S.C. 1421 et seq.); or

15 “(ii) after the producer harvests the
16 grain crop of the surrounding field for a
17 reduction in rental payment commensurate
18 with the limited economic value of the inci-
19 dental grazing;

20 “(8) not to harvest or make commercial use of
21 trees on land that is subject to the contract unless
22 expressly permitted in the contract, except that no
23 contract shall prohibit activities consistent with cus-
24 tomary forestry practice, such as pruning, thinning,

1 or stand improvement of trees, on land converted to
2 forestry use;

3 “(9) not to adopt any practice that would tend
4 to defeat the objectives of this subchapter;

5 “(10) with respect to any contract entered into
6 after the effective date of section 3 of the Agricul-
7 tural Resources Conservation Act of 1995, concern-
8 ing highly erodible land in a county that has not
9 reached the limitation established by section
10 1242(c)—

11 “(A) not to produce an agricultural com-
12 modity for the duration of the contract on any
13 other highly erodible land that the owner or op-
14 erator has purchased after the effective date of
15 section 3 of the Agricultural Resources Con-
16 servation Act of 1995, and that does not have
17 a history of being used to produce an agricul-
18 tural commodity other than forage crops; and

19 “(B) on the violation of subparagraph (A),
20 to be subject to the sanctions described in para-
21 graph (5); and

22 “(11) to comply with such additional provisions
23 as the Secretary determines are necessary.

24 “(b) CONSERVATION PLAN.—The conservation plan
25 required under subsection (a)(1)—

1 “(1) shall set forth—

2 “(A) the conservation measures and prac-
3 tices to be carried out by the owner or operator
4 during the term of the contract; and

5 “(B) the commercial use, if any, to be per-
6 mitted on the land during the term; and

7 “(2) may provide for the permanent retirement
8 of any cropland base and allotment history for the
9 land.

10 “(c) ENVIRONMENTAL USE.—To the maximum ex-
11 tent practicable, not less than $\frac{1}{8}$ of land that is placed
12 in the conservation reserve shall be devoted to hardwood
13 trees.

14 “(d) FORECLOSURE.—

15 “(1) IN GENERAL.—Notwithstanding any other
16 law, an owner or operator of land who is a party to
17 a contract entered into under this subchapter may
18 not be required to make repayments to the Secretary
19 of amounts received under the contract if the land
20 that is subject to the contract has been foreclosed on
21 and the Secretary determines that forgiving the re-
22 payments is appropriate to provide fair and equi-
23 table treatment.

24 “(2) RESUMPTION OF CONTROL.—This sub-
25 section shall not void the responsibilities of the

1 owner or operator under the contract if the owner or
2 operator resumes control over the land that is sub-
3 ject to the contract within the term of the contract.

4 On the resumption of the control over the land by
5 the owner or operator, the provisions of the contract
6 in effect on the date of the foreclosure shall apply.

7 **“SEC. 1233. DUTIES OF THE SECRETARY.**

8 “In return for a contract entered into by an owner
9 or operator under section 1232, the Secretary shall—

10 “(1) share the cost of carrying out the con-
11 servation measures and practices set forth in the
12 contract for which the Secretary determines that
13 cost sharing is appropriate and in the public inter-
14 est;

15 “(2) for a period of years not in excess of the
16 term of the contract, pay an annual rental payment
17 in an amount necessary to compensate for—

18 “(A) the conversion of cropland normally
19 devoted to the production of an agricultural
20 commodity on a farm or ranch to a less inten-
21 sive use, consistent with section 1231(e); and

22 “(B) the retirement of any cropland base
23 and allotment history that the owner or opera-
24 tor agrees to retire permanently; and

1 “(3) provide conservation technical assistance,
2 as determined necessary by the Secretary, to assist
3 the owner or operator in carrying out the contract.

4 **“SEC. 1234. PAYMENTS.**

5 “(a) TIME OF COST-SHARING AND ANNUAL RENTAL
6 PAYMENTS.—The Secretary shall provide payment for ob-
7 ligations incurred by the Secretary under a contract en-
8 tered into under this subchapter—

9 “(1) with respect to any cost-sharing payment
10 obligation incurred by the Secretary, as soon as
11 practicable after the obligation is incurred; and

12 “(2) with respect to any annual rental payment
13 obligation incurred by the Secretary—

14 “(A) as soon as practicable after October
15 1 of each calendar year; or

16 “(B) at the discretion of the Secretary, at
17 any time prior to October 1 during the year
18 that the obligation is incurred.

19 “(b) FEDERAL PERCENTAGE OF COST-SHARING
20 PAYMENTS.—

21 “(1) IN GENERAL.—In making cost-sharing
22 payments to an owner or operator under a contract
23 entered into under this subchapter, the Secretary
24 shall pay 50 percent of the cost of establishing water
25 quality and conservation measures and practices re-

1 quired under the contracts for which the Secretary
2 determines that cost sharing is appropriate and in
3 the public interest.

4 “(2) LIMITATION.—The Secretary shall not
5 make any payment to an owner or operator under
6 this subchapter to the extent that the total amount
7 of cost-sharing payments provided to the owner or
8 operator from all sources would exceed 100 percent
9 of the total actual costs.

10 “(3) HARDWOOD TREES.—The Secretary may
11 permit an owner or operator who contracts to devote
12 at least 10 acres of land to the production of hard-
13 wood trees under this subchapter to extend the
14 planting of the trees over a 3-year period if at least
15 $\frac{1}{3}$ of the trees are planted in each of the first 2
16 years.

17 “(4) OTHER FEDERAL COST-SHARING ASSIST-
18 ANCE.—An owner or operator shall not be eligible to
19 receive or retain cost-sharing assistance under this
20 subchapter if the owner or operator receives any
21 other Federal cost-sharing assistance with respect to
22 the land under any other law.

23 “(c) ANNUAL RENTAL PAYMENTS.—

24 “(1) ENCOURAGING PARTICIPATION.—In deter-
25 mining the amount of annual rental payments to be

1 paid to owners and operators for converting eligible
2 cropland normally devoted to the production of an
3 agricultural commodity to a less intensive use, the
4 Secretary may consider, among other factors, the
5 amount necessary to encourage owners or operators
6 of eligible cropland to participate in the program es-
7 tablished by this subchapter.

8 “(2) AMOUNT.—

9 “(A) IN GENERAL.—The amounts payable
10 to owners or operators as rental payments
11 under contracts entered into under this sub-
12 chapter shall be determined by the Secretary
13 through—

14 “(i) the submission of offers for the
15 contracts by owners and operators in such
16 manner as the Secretary may prescribe;
17 and

18 “(ii) determination of the rental value
19 of the land through a productivity adjust-
20 ment formula determined by the Secretary.

21 “(B) LIMITATION.—Rental payments shall
22 not exceed local rental rates, except that rental
23 payments for partial field enrollments may be
24 made in an amount that does not exceed 150
25 percent of local rental rates, adjusted for the

1 productivity of the land, as determined by the
2 Secretary.

3 “(3) HARDWOOD TREES.—In the case of acre-
4 age enrolled in the conservation reserve that is to be
5 devoted to hardwood trees, the Secretary may con-
6 sider offers for contracts under this subsection on a
7 continuous basis.

8 “(d) CASH OR IN-KIND PAYMENTS.—

9 “(1) IN GENERAL.—Except as otherwise pro-
10 vided in this section, payments under this sub-
11 chapter—

12 “(A) shall be made in cash or in commod-
13 ities in such amount and on such time schedule
14 as are agreed on and specified in the contract;
15 and

16 “(B) may be made in advance of the deter-
17 mination of performance.

18 “(2) IN-KIND PAYMENTS.—If the payment is
19 made in in-kind commodities, the payment shall be
20 made by the Commodity Credit Corporation—

21 “(A) by delivery of the commodity involved
22 to the owner or operator at a warehouse or
23 other similar facility located in the county in
24 which the highly erodible cropland is located or

1 at such other location as is agreed to by the
2 Secretary and the owner or operator;

3 “(B) by the transfer of negotiable ware-
4 house receipts; or

5 “(C) by such other method, including the
6 sale of the commodity in commercial markets,
7 as is determined by the Secretary to be appro-
8 priate to enable the owner or operator to receive
9 efficient and expeditious possession of the com-
10 modity.

11 “(3) INSUFFICIENT STOCKS.—If stocks of a
12 commodity acquired by the Commodity Credit Cor-
13 poration are not readily available to make full pay-
14 ment in kind to an owner or operator, the Secretary
15 may substitute full or partial payment in cash for
16 payment in kind.

17 “(4) SPECIAL CONSERVATION RESERVE EN-
18 HANCEMENT PROGRAM.—Payments to a producer
19 under a special conservation reserve enhancement
20 program described in subsection (f)(4) shall be in
21 the form of cash only.

22 “(e) PAYMENT ON DEATH, DISABILITY, OR SUCCES-
23 SION.—If an owner or operator who is entitled to a pay-
24 ment under a contract entered into under this subchapter
25 dies, becomes incompetent, is otherwise unable to receive

1 the payment, or is succeeded by another person who ren-
2 ders or completes the required performance, the Secretary
3 shall make the payment, in accordance with regulations
4 prescribed by the Secretary and without regard to any
5 other provision of law, in such manner as the Secretary
6 determines is fair and reasonable in light of all of the cir-
7 cumstances.

8 “(f) PAYMENT LIMITATION.—

9 “(1) IN GENERAL.—The total amount of rental
10 payments, including the value of any rental pay-
11 ments in in-kind commodities, made to a person
12 under this subchapter for any fiscal year may not
13 exceed \$50,000.

14 “(2) REGULATIONS.—The Secretary shall issue
15 regulations that are consistent with section 1001 for
16 the purpose of—

17 “(A) defining the term ‘person’ as used in
18 paragraph (1); and

19 “(B) prescribing such rules as the Sec-
20 retary determines are necessary to ensure a fair
21 and reasonable application of the limitation
22 contained in paragraph (1).

23 “(3) RECEIPT OF OTHER PAYMENTS NOT AF-
24 FECTED.—Rental payments received by an owner or
25 operator shall be in addition to, and not affect, the

1 total amount of payments that the owner or operator
2 is otherwise eligible to receive under this Act, the
3 Food, Agriculture, Conservation, and Trade Act of
4 1990 (Public Law 101–624), or the Agricultural Act
5 of 1949 (7 U.S.C. 1421 et seq.).

6 “(4) SPECIAL CONSERVATION RESERVE EN-
7 HANCEMENT PROGRAM.—The provisions of this sub-
8 section that limit payments to any person, and sec-
9 tion 1305(f) of the Agricultural Reconciliation Act of
10 1987 (Public Law 100–203; 7 U.S.C. 1308 note),
11 shall not be applicable to payments received by a
12 State or political subdivision, or an agency of a
13 State or political subdivision, in connection with an
14 agreement entered into under a special conservation
15 reserve enhancement program carried out by the
16 State, political subdivision, or agency that has been
17 approved by the Secretary. The Secretary may enter
18 into an agreement for payments to a State or politi-
19 cal subdivision, or agency of a State or political sub-
20 division, that the Secretary determines will advance
21 the objectives of this subchapter.

22 “(g) CONTRACTS UNAFFECTED BY CERTAIN PRESI-
23 DENTIAL ORDERS.—Notwithstanding any other law, no
24 order issued for any fiscal year under section 252 of the
25 Balanced Budget and Emergency Deficit Control Act of

1 1985 (2 U.S.C. 902) shall affect any payment under any
2 contract entered into at any time that is subject to this
3 subchapter, including contracts entered into prior to the
4 effective date of section 3 of the Agricultural Resources
5 Conservation Act of 1995.

6 “(h) COST-SHARING PAYMENTS.—In addition to any
7 payment under this subchapter, an owner or operator may
8 receive cost-sharing payments, rental payments, or tax
9 benefits from a State or political subdivision of a State
10 for enrolling lands in the conservation reserve program.

11 **“SEC. 1235. CONTRACTS.**

12 “(a) OWNERSHIP OR OPERATION REQUIREMENT.—

13 “(1) IN GENERAL.—Subject to paragraph (2),
14 no contract shall be entered into under this sub-
15 chapter concerning land with respect to which the
16 ownership has changed during the 3-year period pre-
17 ceding the date the contract is entered into unless—

18 “(A) the new ownership was acquired by
19 will or succession as a result of the death of the
20 previous owner;

21 “(B) the Secretary determines that the
22 land was acquired under circumstances that
23 give adequate assurance that the land was not
24 acquired for the purpose of placing the land in
25 the program established by this subchapter; or

1 “(C) the ownership change occurred due to
2 foreclosure on the land and the owner of the
3 land immediately before the foreclosure exer-
4 cised a right of redemption from the mortgage
5 holder in accordance with a State law.

6 “(2) APPLICABILITY.—Paragraph (1) shall
7 not—

8 “(A) prohibit the continuation of a con-
9 tract by a new owner after a contract has been
10 entered into under this subchapter; or

11 “(B) require a person to own the land as
12 a condition of eligibility for entering into the
13 contract if the person—

14 “(i) has operated the land to be cov-
15 ered by a contract under this subchapter
16 for at least 3 years preceding the date of
17 entering into the contract; and

18 “(ii) controls the land during the con-
19 tract period.

20 “(b) SALES OR TRANSFERS.—If, during the term of
21 a contract entered into under this subchapter, an owner
22 or operator of land subject to the contract sells or other-
23 wise transfers the ownership or right of occupancy of the
24 land, the new owner or operator of the land may—

1 “(1) continue the contract under the same
2 terms and conditions of the contract;

3 “(2) enter into a new contract in accordance
4 with this subchapter; or

5 “(3) elect not to participate in the program es-
6 tablished under this subchapter.

7 “(c) MODIFICATIONS AND WAIVERS.—

8 “(1) IN GENERAL.—The Secretary may modify
9 a contract entered into by an owner or operator
10 under this subchapter if—

11 “(A) the owner or operator agrees to the
12 modification; and

13 “(B) the Secretary determines that the
14 modification is desirable—

15 “(i) to carry out this subchapter;

16 “(ii) to facilitate the practical admin-
17 istration of this subchapter; or

18 “(iii) to achieve such other goals as
19 the Secretary determines are appropriate,
20 consistent with this subchapter.

21 “(2) PRODUCTION OF AGRICULTURAL COMMOD-
22 ITIES.—The Secretary may modify or waive a term
23 or condition of a contract entered into under this
24 subchapter to permit all or part of the land subject
25 to the contract to be devoted to the production of an

1 agricultural commodity during a crop year, subject
2 to such conditions as the Secretary determines are
3 appropriate.

4 “(d) TERMINATION.—The Secretary may terminate a
5 contract entered into with an owner or operator under this
6 subchapter if—

7 “(1) the owner or operator agrees to the termi-
8 nation; and

9 “(2) the Secretary determines that the termi-
10 nation is in the public interest.

11 **“SEC. 1236. BASE HISTORY.**

12 “(a) REDUCTIONS.—A reduction, based on a ratio be-
13 tween the total cropland acreage on the farm and the acre-
14 age placed in the conservation reserve, as determined by
15 the Secretary, shall be made during the period of a con-
16 tract entered into under this subchapter, in the aggregate,
17 in crop bases, quotas, and allotments on the farm with
18 respect to crops for which there is a production adjust-
19 ment program.

20 “(b) BASE HISTORY AS BASIS FOR PARTICIPATION
21 IN OTHER FEDERAL PROGRAMS.—Notwithstanding sec-
22 tions 1211 and 1221, the Secretary, by appropriate regu-
23 lation, may provide for preservation of cropland base and
24 allotment history applicable to acreage converted from the
25 production of agricultural commodities under this sub-

1 chapter, for the purpose of any Federal program under
2 which the history is used as a basis for participation in
3 the program or for an allotment or other limitation of the
4 program, unless the owner and operator of the farm or
5 ranch agree under the contract to retire permanently that
6 cropland base and allotment history.

7 “(c) EXTENSION OF PRESERVATION OF CROPLAND
8 BASE AND ALLOTMENT HISTORY.—The Secretary shall
9 offer the owner or operator of a farm or ranch an oppor-
10 tunity to extend the preservation of cropland base and al-
11 lotment history pursuant to subsection (b) for such time
12 as the Secretary determines to be appropriate after the
13 expiration date of a contract under this subchapter at the
14 request of the owner or operator. In return for the exten-
15 sion, the owner or operator shall agree to continue to abide
16 by the terms and conditions of the original contract, ex-
17 cept that—

18 “(1) the owner or operator shall receive no ad-
19 ditional cost-sharing, annual rental, or bonus pay-
20 ment; and

21 “(2) the Secretary may permit, subject to such
22 terms and conditions as the Secretary may impose,
23 haying and grazing of acreage subject to the agree-
24 ment, except that—

1 “(A) haying and grazing shall not be per-
 2 mitted during any consecutive 5-month period
 3 that is established by the State committee es-
 4 tablished under section 8(b) of the Soil Con-
 5 servation and Domestic Allotment Act (16
 6 U.S.C. 590h(b)) during the period beginning
 7 April 1 and ending October 31 of a year; and

8 “(B) in the case of a natural disaster, the
 9 Secretary may permit unlimited haying and
 10 grazing on the acreage.

11 “(d) ADDITIONAL REMEDIES FOR VIOLATIONS.—In
 12 addition to any other remedy prescribed by law, the Sec-
 13 retary may reduce or terminate the quantity of cropland
 14 base and allotment history preserved pursuant to sub-
 15 section (c) for acreage with respect to which a violation
 16 of a term or condition of a contract occurs.”.

17 **SEC. 4. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.**

18 Chapter 2 of subtitle D of title XII of the Food Secu-
 19 rity Act of 1985 (16 U.S.C. 3838 et seq.) is amended to
 20 read as follows:

21 **“CHAPTER 2—ENVIRONMENTAL QUALITY**
 22 **INCENTIVES PROGRAM**

23 **“SEC. 1238. FINDINGS AND PURPOSES.**

24 “(a) FINDINGS.—Congress finds that—

1 “(1) farmers and ranchers cumulatively manage
2 more than ½ of the private lands in the continental
3 United States;

4 “(2) because of the predominance of agri-
5 culture, the soil, water, and related natural re-
6 sources of the United States cannot be protected
7 without cooperative relationships between the Fed-
8 eral Government and farmers and ranchers;

9 “(3) farmers and ranchers have made tremen-
10 dous progress in protecting the environment and the
11 agricultural resource base of the United States over
12 the past decade because of not only Federal Govern-
13 ment programs but also their spirit of stewardship
14 and the adoption of effective technologies;

15 “(4) it is in the interest of the entire United
16 States that farmers and ranchers continue to strive
17 to preserve soil resources and make more efforts to
18 protect water quality and wildlife habitat, and ad-
19 dress other broad environmental concerns;

20 “(5) environmental strategies that stress the
21 prudent management of resources, as opposed to
22 idling land, will permit the maximum economic op-
23 portunities for farmers and ranchers in the future;

24 “(6) unnecessary bureaucratic and paperwork
25 barriers associated with existing agricultural con-

1 servation assistance programs decrease the potential
2 effectiveness of the programs; and

3 “(7) the recent trend of Federal spending on
4 agricultural conservation programs suggests that as-
5 sistance to farmers and ranchers in future years
6 will, absent changes in policy, dwindle to perilously
7 low levels.

8 “(b) PURPOSES.—The purposes of the environmental
9 quality incentives program established by this chapter are
10 to—

11 “(1) combine into a single program the func-
12 tions of—

13 “(A) the agricultural conservation program
14 authorized by sections 7 and 8 of the Soil Con-
15 servation and Domestic Allotment Act (16
16 U.S.C. 590g and 590h) (as in effect before the
17 amendments made by section 6(a)(1) of the Ag-
18 ricultural Resources Conservation Act of 1995);

19 “(B) the Great Plains conservation pro-
20 gram established under section 16(b) of the Soil
21 Conservation and Domestic Allotment Act (16
22 U.S.C. 590p(b)) (as in effect before the amend-
23 ment made by section 6(b)(1) of the Agricul-
24 tural Resources Conservation Act of 1995);

1 “(C) the water quality incentives program
2 established under this chapter (as in effect be-
3 fore the amendment made by section 4 of the
4 Agricultural Resources Conservation Act of
5 1995); and

6 “(D) the Colorado River Basin salinity
7 control program established under section
8 202(c) of the Colorado River Basin Salinity
9 Control Act (43 U.S.C. 1592(c)) (as in effect
10 before the amendment made by section 6(c)(1)
11 of the Agricultural Resources Conservation Act
12 of 1995); and

13 “(2) carry out the single program in a manner
14 that maximizes environmental benefits per dollar ex-
15 pended, and that provides—

16 “(A) flexible technical and financial assist-
17 ance to farmers and ranchers that face the
18 most serious threats to soil, water, and related
19 natural resources, including grazing lands, wet-
20 lands, and wildlife habitat;

21 “(B) assistance to farmers and ranchers in
22 complying with this title and Federal and State
23 environmental laws, and to encourage environ-
24 mental enhancement;

1 “(C) assistance to farmers and ranchers in
 2 making beneficial, cost-effective changes to
 3 cropping systems, grazing management, ma-
 4 nure, nutrient, pest, or irrigation management,
 5 land uses, or other measures needed to conserve
 6 and improve soil, water, and related natural re-
 7 sources; and

8 “(D) for the consolidation and simplifica-
 9 tion of the conservation planning process to re-
 10 duce administrative burdens on the owners and
 11 operators of farms and ranches.

12 **“SEC. 1238A. DEFINITIONS.**

13 “In this chapter:

14 “(1) LAND MANAGEMENT PRACTICE.—The
 15 term ‘land management practice’ means nutrient or
 16 manure management, integrated pest management,
 17 irrigation management, tillage or residue manage-
 18 ment, grazing management, or another land man-
 19 agement practice the Secretary determines is needed
 20 to protect soil, water, or related resources in the
 21 most cost effective manner.

22 “(2) LARGE CONFINED LIVESTOCK OPER-
 23 ATION.—The term ‘large confined livestock oper-
 24 ation’ means a farm or ranch that—

1 “(A) is a confined animal feeding oper-
2 ation; and

3 “(B) has more than—

4 “(i) 700 mature dairy cattle;

5 “(ii) 1,000 beef cattle;

6 “(iii) 30,000 laying hens or broilers
7 (if the facility has continuous overflow wa-
8 tering);

9 “(iv) 100,000 laying hens or broilers
10 (if the facility has a liquid manure sys-
11 tem);

12 “(v) 55,000 turkeys;

13 “(vi) 2,500 swine; or

14 “(vii) 10,000 sheep or lambs.

15 “(3) LIVESTOCK.—The term ‘livestock’ means
16 mature dairy cows, beef cattle, laying hens, broilers,
17 turkeys, swine, sheep, or lambs.

18 “(4) OPERATOR.—The term ‘operator’ means a
19 person who is engaged in crop or livestock produc-
20 tion (as defined by the Secretary).

21 “(5) STRUCTURAL PRACTICE.—The term ‘struc-
22 tural practice’ means the establishment of an animal
23 waste management facility, terrace, grassed water-
24 way, contour grass strip, filterstrip, permanent wild-
25 life habitat, or another structural practice that the

1 Secretary determines is needed to protect soil, water,
2 or related resources in the most cost effective man-
3 ner.

4 **“SEC. 1238B. ESTABLISHMENT AND ADMINISTRATION OF**
5 **ENVIRONMENTAL QUALITY INCENTIVES PRO-**
6 **GRAM.**

7 “(a) ESTABLISHMENT.—

8 “(1) IN GENERAL.—During the 1996 through
9 2005 fiscal years, the Secretary shall provide tech-
10 nical assistance, cost-sharing payments, and incen-
11 tive payments to operators, who enter into contracts
12 with the Secretary, through an environmental qual-
13 ity incentives program in accordance with this chap-
14 ter.

15 “(2) ELIGIBLE PRACTICES.—

16 “(A) STRUCTURAL PRACTICES.—An opera-
17 tor who implements a structural practice shall
18 be eligible for technical assistance or cost-shar-
19 ing payments, or both.

20 “(B) LAND MANAGEMENT PRACTICES.—An
21 operator who performs a land management
22 practice shall be eligible for technical assistance
23 or incentive payments, or both.

24 “(b) APPLICATION AND TERM.—A contract between
25 an operator and the Secretary under this chapter may—

1 “(1) apply to 1 or more structural practices or
2 1 or more land management practices, or both; and

3 “(2) have a term of not less than 5, nor more
4 than 10, years, as determined appropriate by the
5 Secretary, depending on the practice or practices
6 that are the basis of the contract.

7 “(c) STRUCTURAL PRACTICES.—

8 “(1) COMPETITIVE OFFER.—The Secretary
9 shall administer a competitive offer system for oper-
10 ators proposing to receive cost-sharing payments in
11 exchange for the implementation of 1 or more struc-
12 tural practices by the operator. The competitive
13 offer system shall consist of—

14 “(A) the submission of a competitive offer
15 by the operator in such manner as the Sec-
16 retary may prescribe; and

17 “(B) evaluation of the offer in light of the
18 priorities established in section 1238C and the
19 projected cost of the proposal, as determined by
20 the Secretary.

21 “(2) CONCURRENCE OF OWNER.—If the opera-
22 tor making an offer to implement a structural prac-
23 tice is a tenant of the land involved in agricultural
24 production, for the offer to be acceptable, the opera-

1 tor shall obtain the concurrence of the owner of the
2 land with respect to the offer.

3 “(d) LAND MANAGEMENT PRACTICES.—The Sec-
4 retary shall establish an application and evaluation proc-
5 ess for awarding technical assistance or incentive pay-
6 ments, or both, to an operator in exchange for the per-
7 formance of 1 or more land management practices by the
8 operator.

9 “(e) COST-SHARING AND INCENTIVE PAYMENTS.—

10 “(1) COST-SHARING PAYMENTS.—

11 “(A) IN GENERAL.—The Federal share of
12 cost-sharing payments to an operator proposing
13 to implement 1 or more structural practices
14 shall not be less than 75 percent of the pro-
15 jected cost of the practice, as determined by the
16 Secretary, taking into consideration any pay-
17 ment received by the operator from a State or
18 local government.

19 “(B) LIMITATION.—An operator of a large
20 confined livestock operation shall not be eligible
21 for cost-sharing payments to construct an ani-
22 mal waste management facility.

23 “(C) OTHER PAYMENTS.—An operator
24 shall not be eligible for cost-sharing payments
25 for structural practices on eligible land under

1 this chapter if the operator receives cost-shar-
2 ing payments or other benefits for the same
3 land under chapter 1 or 3.

4 “(2) INCENTIVE PAYMENTS.—The Secretary
5 shall make incentive payments in an amount and at
6 a rate determined by the Secretary to be necessary
7 to encourage an operator to perform 1 or more land
8 management practices.

9 “(f) TECHNICAL ASSISTANCE.—

10 “(1) FUNDING.—The Secretary shall allocate
11 funding under this chapter for the provision of tech-
12 nical assistance according to the purpose and pro-
13 jected cost for which the technical assistance is pro-
14 vided in a fiscal year. The allocated amount may
15 vary according to the type of expertise required,
16 quantity of time involved, and other factors as deter-
17 mined appropriate by the Secretary. Funding shall
18 not exceed the projected cost to the Secretary of the
19 technical assistance provided in a fiscal year.

20 “(2) OTHER AUTHORITIES.—The receipt of
21 technical assistance under this chapter shall not af-
22 fect the eligibility of the operator to receive technical
23 assistance under other authorities of law available to
24 the Secretary.

1 “(g) MODIFICATION OR TERMINATION OF CON-
2 TRACTS.—

3 “(1) VOLUNTARY MODIFICATION OR TERMI-
4 NATION.—The Secretary may modify or terminate a
5 contract entered into with an operator under this
6 chapter if—

7 “(A) the operator agrees to the modifica-
8 tion or termination; and

9 “(B) the Secretary determines that the
10 modification or termination is in the public in-
11 terest.

12 “(2) INVOLUNTARY TERMINATION.—The Sec-
13 retary may terminate a contract under this chapter
14 if the Secretary determines that the operator vio-
15 lated the contract.

16 “(h) NON-FEDERAL ASSISTANCE.—

17 “(1) IN GENERAL.—The Secretary may request
18 the services of a State water quality agency, State
19 fish and wildlife agency, State forestry agency, or
20 any other governmental or private resource consid-
21 ered appropriate to assist in providing the technical
22 assistance necessary for the development and imple-
23 mentation of a structural practice or land manage-
24 ment practice.

1 “(2) LIMITATION ON LIABILITY.—No person
 2 shall be permitted to bring or pursue any claim or
 3 action against any official or entity based on or re-
 4 sulting from any technical assistance provided to an
 5 operator under this chapter to assist in complying
 6 with a Federal or State environmental law.

7 **“SEC. 1238C. EVALUATION OF OFFERS AND PAYMENTS.**

8 “(a) REGIONAL PRIORITIES.—The Secretary shall
 9 provide technical assistance, cost-sharing payments, and
 10 incentive payments to operators in a region, watershed,
 11 or conservation priority area under this chapter based on
 12 the significance of the soil, water, and related natural re-
 13 source problems in the region, watershed, or area, and the
 14 structural practices or land management practices that
 15 best address the problems, as determined by the Secretary.

16 “(b) MAXIMIZATION OF ENVIRONMENTAL BENE-
 17 FITS.—

18 “(1) IN GENERAL.—In providing technical as-
 19 sistance, cost-sharing payments, and incentive pay-
 20 ments to operators in regions, watersheds, or con-
 21 servation priority areas under this chapter, the Sec-
 22 retary shall accord a higher priority to assistance
 23 and payments that maximize environmental benefits
 24 per dollar expended.

1 “(2) NATIONAL AND REGIONAL PRIORITY.—The
2 prioritization shall be done nationally as well as
3 within the conservation priority area, region, or wa-
4 tershed in which an agricultural operation is located.

5 “(3) CRITERIA.—To carry out this subsection,
6 the Secretary shall establish criteria for implement-
7 ing structural practices and land management prac-
8 tices that best achieve conservation goals for a re-
9 gion, watershed, or conservation priority area, as de-
10 termined by the Secretary.

11 “(c) STATE OR LOCAL CONTRIBUTIONS.—The Sec-
12 retary shall accord a higher priority to operators whose
13 agricultural operations are located within watersheds, re-
14 gions, or conservation priority areas in which State or
15 local governments have provided, or will provide, financial
16 or technical assistance to the operators for the same con-
17 servation or environmental purposes.

18 “(d) PRIORITY LANDS.—The Secretary shall accord
19 a higher priority to structural practices or land manage-
20 ment practices on lands on which agricultural production
21 has been determined to contribute to, or create, the poten-
22 tial for failure to meet applicable water quality standards
23 or other environmental objectives of a Federal or State
24 law.

1 **“SEC. 1238D. DUTIES OF OPERATORS.**

2 “To receive technical assistance, cost-sharing pay-
3 ments, or incentives payments under this chapter, an oper-
4 ator shall agree—

5 “(1) to implement an environmental quality in-
6 centives program plan that describes conservation
7 and environmental goals to be achieved through a
8 structural practice or land management practice, or
9 both, that is approved by the Secretary;

10 “(2) not to conduct any practices on the farm
11 or ranch that would tend to defeat the purposes of
12 this chapter;

13 “(3) on the violation of a term or condition of
14 the contract at any time the operator has control of
15 the land, to refund any cost-sharing or incentive
16 payment received with interest, and forfeit any fu-
17 ture payments under this chapter, as determined by
18 the Secretary;

19 “(4) on the transfer of the right and interest of
20 the operator in land subject to the contract, unless
21 the transferee of the right and interest agrees with
22 the Secretary to assume all obligations of the con-
23 tract, to refund all cost-sharing payments and incen-
24 tive payments received under this chapter, as deter-
25 mined by the Secretary;

1 “(5) to supply information as required by the
 2 Secretary to determine compliance with the environ-
 3 mental quality incentives program plan and require-
 4 ments of the program; and

5 “(6) to comply with such additional provisions
 6 as the Secretary determines are necessary to carry
 7 out the environmental quality incentives program
 8 plan.

9 **“SEC. 1238E. ENVIRONMENTAL QUALITY INCENTIVES PRO-**
 10 **GRAM PLAN.**

11 “An environmental quality incentives program plan
 12 shall include (as determined by the Secretary)—

13 “(1) a description of the prevailing farm or
 14 ranch enterprises, cropping patterns, grazing man-
 15 agement, cultural practices, or other information
 16 that may be relevant to conserving and enhancing
 17 soil, water, and related natural resources;

18 “(2) a description of relevant farm or ranch re-
 19 sources, including soil characteristics, rangeland
 20 types and condition, proximity to water bodies, wild-
 21 life habitat, or other relevant characteristics of the
 22 farm or ranch related to the conservation and envi-
 23 ronmental objectives set forth in the plan;

24 “(3) a description of specific conservation and
 25 environmental objectives to be achieved;

1 “(4) to the extent practicable, specific, quan-
2 titative goals for achieving the conservation and en-
3 vironmental objectives;

4 “(5) a description of 1 or more structural prac-
5 tices or 1 or more land management practices, or
6 both, to be implemented to achieve the conservation
7 and environmental objectives;

8 “(6) a description of the timing and sequence
9 for implementing the structural practices or land
10 management practices, or both, that will assist the
11 operator in complying with Federal and State envi-
12 ronmental laws; and

13 “(7) information that will enable evaluation of
14 the effectiveness of the plan in achieving the con-
15 servation and environmental objectives, and that will
16 enable evaluation of the degree to which the plan
17 has been implemented.

18 **“SEC. 1238F. DUTIES OF THE SECRETARY.**

19 “To the extent appropriate, the Secretary shall assist
20 an operator in achieving the conservation and environ-
21 mental goals of an environmental quality incentives pro-
22 gram plan by—

23 “(1) providing an eligibility assessment of the
24 farming or ranching operation of the operator as a
25 basis for developing the plan;

1 “(2) providing technical assistance in develop-
2 ing and implementing the plan;

3 “(3) providing technical assistance, cost-sharing
4 payments, or incentive payments for developing and
5 implementing 1 or more structural practices or 1 or
6 more land management practices, as appropriate;

7 “(4) providing the operator with information,
8 education, and training to aid in implementation of
9 the plan; and

10 “(5) encouraging the operator to obtain tech-
11 nical assistance, cost-sharing payments, or grants
12 from other Federal, State, local, or private sources.

13 **“SEC. 1238G. ELIGIBLE LANDS.**

14 “Agricultural land on which a structural practice or
15 land management practice, or both, shall be eligible for
16 technical assistance, cost-sharing payments, or incentive
17 payments under this chapter include—

18 “(1) agricultural land (including cropland,
19 rangeland, pasture, and other land on which crops
20 or livestock are produced) that the Secretary deter-
21 mines poses a serious threat to soil, water, or related
22 resources by reason of the soil types, terrain, cli-
23 matic, soil, topographic, flood, or saline characteris-
24 tics, or other factors or natural hazards;

1 “(2) an area that is considered to be critical ag-
 2 ricultural land on which either crop or livestock pro-
 3 duction is carried out, as identified in a plan submit-
 4 ted by the State under section 319 of the Federal
 5 Water Pollution Control Act (33 U.S.C. 1329) as
 6 having priority problems that result from an agricul-
 7 tural nonpoint source of pollution;

8 “(3) an area recommended by a State lead
 9 agency for protection of soil, water, and related re-
 10 sources, as designated by a Governor of a State; and

11 “(4) land that is not located within a des-
 12 ignated or approved area, but that if permitted to
 13 continue to be operated under existing management
 14 practices, would defeat the purpose of the environ-
 15 mental quality incentives program, as determined by
 16 the Secretary. –

17 **“SEC. 1238H. LIMITATIONS ON PAYMENTS.**

18 “(a) PAYMENTS.—The total amount of cost-sharing
 19 and incentive payments paid to a person under this chap-
 20 ter may not exceed—

21 “(1) \$10,000 for any fiscal year; or

22 “(2) \$50,000 for any multiyear contract.

23 “(b) REGULATIONS.—The Secretary shall issue regu-
 24 lations that are consistent with section 1001 for the pur-
 25 pose of—

1 “(1) defining the term ‘person’ as used in sub-
2 section (a); and

3 “(2) prescribing such rules as the Secretary de-
4 termines necessary to ensure a fair and reasonable
5 application of the limitations contained in subsection
6 (a).

7 **“SEC. 1238I. TEMPORARY ADMINISTRATION OF ENVIRON-**
8 **MENTAL QUALITY INCENTIVES PROGRAM.**

9 “(a) INTERIM ADMINISTRATION.—

10 “(1) IN GENERAL.—During the period begin-
11 ning on the date of enactment of this section and
12 ending on the later of the dates specified in para-
13 graph (2), to ensure that technical assistance, cost-
14 sharing payments, and incentive payments continue
15 to be administered in an orderly manner until such
16 time as assistance can be provided through final reg-
17 ulations issued to implement the environmental qual-
18 ity incentives program established under this chap-
19 ter, the Secretary shall continue to provide technical
20 assistance, cost-sharing payments, and incentive
21 payments under the terms and conditions of the ag-
22 ricultural conservation program, the Great Plains
23 conservation program, the water quality incentives
24 program, and the Colorado River Basin salinity con-
25 trol program, to the extent the terms and conditions

1 of the programs are consistent with the environ-
 2 mental quality incentives program.

3 “(2) EXPIRATION OF AUTHORITY.—The author-
 4 ity of the Secretary to carry out paragraph (1) shall
 5 terminate on the later of—

6 “(A) the date that is 180 days after the
 7 date of enactment of this section; or

8 “(B) March 31, 1996.

9 “(b) PERMANENT ADMINISTRATION.—Effective be-
 10 ginning on the later of the dates specified in subsection
 11 (a)(2), the Secretary shall provide technical assistance,
 12 cost-sharing payments, and incentive payments for struc-
 13 tural practices and land management practices related to
 14 crop and livestock production in accordance with final reg-
 15 ulations issued to carry out the environmental quality in-
 16 centives program.”.

17 **SEC. 5. ADMINISTRATION.**

18 Subtitle E of title XII of the Food Security Act of
 19 1985 (16 U.S.C. 3841 et seq.) is amended to read as fol-
 20 lows:

21 **“Subtitle E—Administration**

22 **“SEC. 1241. FUNDING.**

23 “(a) MANDATORY EXPENSES.—Subject to subsection
 24 (f), the Secretary shall use the funds of the Commodity

1 Credit Corporation for each of fiscal years 1996 through
2 2005 to carry out the programs authorized by—

3 “(1) subchapter B of chapter 1 of subtitle D
4 (including contracts extended by the Secretary pur-
5 suant to section 1437 of the Food, Agriculture, Con-
6 servation, and Trade Act of 1990 (Public Law 101-
7 624; 16 U.S.C. 3831 note));

8 “(2) subchapter C of chapter 1 of subtitle D;
9 and

10 “(3) chapter 2 of subtitle D.

11 “(b) ADVANCE APPROPRIATIONS TO CCC.—The Sec-
12 retary may use the funds of the Commodity Credit Cor-
13 poration to carry out chapter 3 of subtitle D, except that
14 the Secretary may not use the funds of the Corporation
15 unless the Corporation has received funds to cover the ex-
16 penditures from appropriations made to carry out chapter
17 3 of subtitle D.

18 “(c) ENVIRONMENTAL QUALITY INCENTIVES PRO-
19 GRAM.—

20 “(1) CROP PRODUCTION.—Subject to subsection
21 (f), funds of the Commodity Credit Corporation for
22 technical assistance, cost-sharing payments, and in-
23 centive payments targeted at practices relating to
24 crop production under the environmental quality in-
25 centives program—

1 “(A) in the case of each of fiscal years
2 1996 and 1997, shall be allocated in the same
3 proportion that existed between practices relat-
4 ing to crop production and livestock production
5 in fiscal year 1995; and

6 “(B) in the case of each of fiscal years
7 1998 through 2005, shall not be less than the
8 total funding level for the payments for fiscal
9 year 1995.

10 “(2) LIVESTOCK PRODUCTION.—Subject to sub-
11 section (f) and paragraph (3), for each of fiscal
12 years 2000 through 2005, 50 percent of the funding
13 available for technical assistance, cost-sharing pay-
14 ments, and incentive payments under the environ-
15 mental quality incentives program shall be targeted
16 at practices relating to livestock production.

17 “(3) LIMITATION.—The Secretary is authorized
18 to allocate less than 50 percent of the total program
19 funding level for a fiscal year for practices relating
20 to crop or livestock production under paragraphs (1)
21 and (2), if the Secretary determines that the funding
22 level is not justified by need or demand.

23 “(d) CONSERVATION RESERVE PROGRAM.—Subject
24 to subsection (f), funding for the conservation reserve pro-
25 gram (including contracts extended by the Secretary pur-

1 suant to section 1437 of the Food, Agriculture, Conserva-
2 tion, and Trade Act of 1990 (Public Law 101-624; 16
3 U.S.C. 3831 note)) shall be—

4 “(1) \$1,805,000,000 for fiscal year 1996;

5 “(2) \$1,804,000,000 for fiscal year 1997;

6 “(3) \$1,485,000,000 for fiscal year 1998;

7 “(4) \$1,345,000,000 for fiscal year 1999; and

8 “(5) \$1,221,000,000 for each of fiscal years
9 2000 through 2005.

10 “(e) WETLANDS RESERVE PROGRAM.—Subject to
11 subsection (f), funding to carry out the wetlands reserve
12 program under subchapter C of chapter 1 of subtitle D
13 shall be \$150,000,000 for each of fiscal years 1996
14 through 2005.

15 “(f) LIMITATION ON USE OF CCC FUNDS.—Subject
16 to subsection (c)(3) and notwithstanding any other law,
17 the Secretary shall allocate \$2,060,000,000, of funds of
18 the Commodity Credit Corporation for each of fiscal years
19 1996 through 2005 to carry out the programs authorized
20 by chapters 1 and 2 of subtitle D.

21 “(g) PRORATION OF PAYMENTS.—If for any fiscal
22 year the Secretary has incurred total contractual obliga-
23 tions to make payments under all programs authorized
24 under subtitle D (other than chapter 3 of subtitle D) that
25 would exceed an amount of \$2,060,000,000, the Secretary

1 shall prorate all payments owed under subtitle D (other
 2 than chapter 3 of subtitle D) for the fiscal year to ensure
 3 that actual payments for the fiscal year do not exceed that
 4 amount.

5 **“SEC. 1242. ADMINISTRATION.**

6 “(a) PLANS.—The Secretary shall, to the extent prac-
 7 ticable, avoid duplication in—

8 “(1) the conservation plans required for—

9 “(A) highly erodible land conservation
 10 under subtitle B;

11 “(B) the conservation reserve program es-
 12 tablished under subchapter B of chapter 1 of
 13 subtitle D; and

14 “(C) the wetlands reserve program estab-
 15 lished under subchapter C of chapter 1 of sub-
 16 title D; and

17 “(2) the environmental quality incentives pro-
 18 gram plan required under chapter 2 of subtitle D.

19 “(b) TENANTS AND SHARECROPPERS.—In carrying
 20 out the programs established under subtitle D, the Sec-
 21 retary shall provide adequate safeguards to protect the in-
 22 terests of tenants and sharecroppers, including provision
 23 for sharing, on a fair and equitable basis, in payments
 24 under a program established by subtitle D.

25 “(c) ACREAGE LIMITATION.—

1 “(1) IN GENERAL.—The Secretary shall not en-
 2 roll more than 25 percent of the cropland in any
 3 county in the programs administered under the con-
 4 servation reserve and wetlands reserve programs es-
 5 tablished under subchapters B and C, respectively,
 6 of chapter 1 of subtitle D. Not more than 10 percent
 7 of the cropland in a county may be subject to an
 8 easement acquired under the subchapters.

9 “(2) EXCEPTION.—The Secretary may exceed
 10 the limitations in paragraph (1) if the Secretary de-
 11 termines that—

12 “(A) the action would not adversely affect
 13 the local economy of a county; and

14 “(B) operators in the county are having
 15 difficulties complying with conservation plans
 16 implemented under section 1212.

17 “(3) SHELTERBELTS AND WINDBREAKS.—The
 18 limitations established under this subsection shall
 19 not apply to cropland that is subject to an easement
 20 under chapter 1 or 3 of subtitle D that is used for
 21 the establishment of shelterbelts and windbreaks.

22 “(d) REGULATIONS.—

23 “(1) CONSERVATION RESERVE AND WETLANDS
 24 RESERVE PROGRAMS.—Not later than 90 days after
 25 the effective date of this section, the Secretary shall

1 issue regulations to implement the conservation re-
2 serve and wetlands reserve programs established
3 under chapter 1 of subtitle D.

4 “(2) ENVIRONMENTAL QUALITY INCENTIVES
5 PROGRAM.—Not later than 180 days after the effec-
6 tive date of this section, the Secretary shall issue
7 regulations to implement the environmental quality
8 incentives program under chapter 2 of subtitle D.

9 **“SEC. 1243. CONSERVATION OPERATIONS.**

10 “It is the sense of Congress that—

11 “(1) the functions performed by the Secretary
12 pursuant to the authority for Conservation Oper-
13 ations are valuable conservation activities that
14 should continue to be carried out by the Secretary;
15 and

16 “(2) the amount of funds made available to
17 carry out the functions of Conservation Operations
18 for each fiscal year should not be less than the
19 amount of funds made available to carry out those
20 functions during fiscal year 1995.

21 **“SEC. 1244. INFORMATION MANAGEMENT.**

22 “It is the sense of Congress that the Secretary should
23 develop information management techniques that are nec-
24 essary to create—

1 “(1) individual farm or ranch natural resource
 2 databases that would streamline the process by
 3 which owners or operators apply to participate in a
 4 conservation program administered by the Secretary;
 5 and

6 “(2) to the extent practicable, develop a com-
 7 mon application process for all conservation pro-
 8 grams.”.

9 **SEC. 6. CONFORMING AMENDMENTS.**

10 (a) AGRICULTURAL CONSERVATION PROGRAM.—

11 (1) ELIMINATION.—

12 (A) Section 8 of the Soil Conservation and
 13 Domestic Allotment Act (16 U.S.C. 590h) is
 14 amended—

15 (i) in subsection (b)—

16 (I) by striking paragraphs (1)
 17 through (4) and inserting the follow-
 18 ing:

19 “(1) ENVIRONMENTAL QUALITY INCENTIVES
 20 PROGRAM.—The Secretary shall provide technical as-
 21 sistance, cost share payments, and incentive pay-
 22 ments to operators through the environmental qual-
 23 ity incentives program in accordance with chapter 2
 24 of subtitle D of the Food Security Act of 1985 (16
 25 U.S.C. 3838 et seq.).”; and

1 (II) by striking paragraphs (6)
2 through (8); and

3 (ii) by striking subsections (d), (e),
4 and (f).

5 (B) The first sentence of section 11 of the
6 Soil Conservation and Domestic Allotment Act
7 (16 U.S.C. 590k) is amended by striking “per-
8 formance: *Provided further,*” and all that fol-
9 lows through “or other law” and inserting “per-
10 formance”.

11 (C) Section 14 of the Act (16 U.S.C.
12 590n) is amended—

13 (i) in the first sentence, by striking
14 “or 8”; and

15 (ii) by striking the second sentence.

16 (D) Section 15 of the Act (16 U.S.C.
17 590o) is amended—

18 (i) in the first undesignated para-
19 graph—

20 (I) in the first sentence, by strik-
21 ing “sections 7 and 8” and inserting
22 “section 7”; and

23 (II) by striking the third sen-
24 tence; and

1 (ii) by striking the second undesig-
2 nated paragraph.

3 (2) CONFORMING AMENDMENTS.—

4 (A) Paragraph (1) of the last proviso of
5 the matter under the heading “CONSERVATION
6 RESERVE PROGRAM” under the heading “SOIL
7 BANK PROGRAMS” of title I of the Department
8 of Agriculture and Farm Credit Administration
9 Appropriation Act, 1959 (72 Stat. 195; 7
10 U.S.C. 1831a) is amended by striking “Agricul-
11 tural Conservation Program” and inserting
12 “environmental quality incentives program es-
13 tablished under chapter 2 of subtitle D of the
14 Food Security Act of 1985 (16 U.S.C. 3838 et
15 seq.)”.

16 (B) Section 4 of the Cooperative Forestry
17 Assistance Act of 1978 (16 U.S.C. 2103) is
18 amended by striking “as added by the Agri-
19 culture and Consumer Protection Act of 1973”
20 each place it appears in subsections (d) and (i)
21 and inserting “as in effect before the amend-
22 ment made by section 6(a)(1)(F) of the Agri-
23 cultural Resources Conservation Act of 1995”.

24 (C) Section 226(b)(4) of the Department
25 of Agriculture Reorganization Act of 1994 (7

1 U.S.C. 6932(b)(4)) is amended by striking
2 “and the agricultural conservation program
3 under the Soil Conservation and Domestic Al-
4 lotment Act (16 U.S.C. 590g et seq.)”.

5 (D) Section 246(b)(8) of the Department
6 of Agriculture Reorganization Act of 1994 (7
7 U.S.C. 6962(b)(8)) is amended by striking
8 “and the agricultural conservation program
9 under the Soil Conservation and Domestic Al-
10 lotment Act (16 U.S.C. 590g et seq.)”.

11 (E) Section 1271(c)(3)(C) of the Food,
12 Agriculture, Conservation, and Trade Act of
13 1990 (16 U.S.C. 2106a(c)(3)(C)) is amended
14 by striking “Agricultural Conservation Program
15 established under section 16(b) of the Soil Con-
16 servation and Domestic Allotment Act (16
17 U.S.C. 590h, 590l, or 590p)” and inserting
18 “environmental quality incentives program es-
19 tablished under chapter 2 of subtitle D of the
20 Food Security Act of 1985 (16 U.S.C. 3838 et
21 seq.)”.

22 (F) Section 126(a)(5) of the Internal Rev-
23 enue Code of 1986 is amended to read as fol-
24 lows:

1 “(5) The environmental quality incentives pro-
2 gram established under chapter 2 of subtitle D of
3 the Food Security Act of 1985 (16 U.S.C. 3838 et
4 seq.).”.

5 (G) Section 304(a) of the Lake Champlain
6 Special Designation Act of 1990 (Public Law
7 101-596; 33 U.S.C. 1270 note) is amended—

8 (i) in the subsection heading, by strik-
9 ing “SPECIAL PROJECT AREA UNDER THE
10 AGRICULTURAL CONSERVATION PRO-
11 GRAM” and inserting “A PRIORITY AREA
12 UNDER THE ENVIRONMENTAL QUALITY
13 INCENTIVES PROGRAM”; and

14 (ii) in paragraph (1), by striking
15 “special project area under the Agricul-
16 tural Conservation Program established
17 under section 8(b) of the Soil Conservation
18 and Domestic Allotment Act (16 U.S.C.
19 590h(b))” and inserting “priority area
20 under the environmental quality incentives
21 program established under chapter 2 of
22 subtitle D of the Food Security Act of
23 1985 (16 U.S.C. 3838 et seq.)”.

1 (H) Section 6 of the Department of Agri-
2 culture Organic Act of 1956 (70 Stat. 1033) is
3 amended by striking subsection (b).

4 (b) GREAT PLAINS CONSERVATION PROGRAM.—

5 (1) ELIMINATION.—Section 16 of the Soil Con-
6 servation and Domestic Allotment Act (16 U.S.C.
7 590p) is repealed.

8 (2) CONFORMING AMENDMENTS.—

9 (A) The Agricultural Adjustment Act of
10 1938 is amended by striking “Great Plains pro-
11 gram” each place it appears in sections
12 344(f)(8) and 377 (7 U.S.C. 1344(f)(8) and
13 1377) and inserting “environmental quality in-
14 centives program established under chapter 2 of
15 subtitle D of the Food Security Act of 1985 (16
16 U.S.C. 3838 et seq.)”.

17 (B) Section 246(b) of the Department of
18 Agriculture Reorganization Act of 1994 (7
19 U.S.C. 6962(b)) is amended by striking para-
20 graph (2).

21 (C) Section 126(a) of the Internal Revenue
22 Code of 1986 is amended—

23 (i) by striking paragraph (6); and

1 (ii) by redesignating paragraphs (7)
2 through (10) as paragraphs (6) through
3 (9), respectively.

4 (c) COLORADO RIVER BASIN SALINITY CONTROL
5 PROGRAM.—

6 (1) ELIMINATION.—Section 202 of the Colo-
7 rado River Basin Salinity Control Act (43 U.S.C.
8 1592) is amended by striking subsection (c).

9 (2) CONFORMING AMENDMENT.—Section
10 246(b) of the Department of Agriculture Reorga-
11 nization Act of 1994 (7 U.S.C. 6962(b)) is amended
12 by striking paragraph (6).

13 (d) RURAL ENVIRONMENTAL CONSERVATION PRO-
14 GRAM.—

15 (1) ELIMINATION.—Title X of the Agricultural
16 Act of 1970 (16 U.S.C. 1501 et seq.) is repealed.

17 (2) CONFORMING AMENDMENTS.—Section
18 246(b) of the Department of Agriculture Reorga-
19 nization Act of 1994 (7 U.S.C. 6962(b)) (as amend-
20 ed by subsections (a)(2)(D), (b)(2)(B), and (c)(2)) is
21 further amended—

22 (A) by striking paragraph (1); and

23 (B) by redesignating paragraphs (3), (4),
24 (5), (7), and (8) as paragraphs (1), (2), (3),
25 (4), and (5), respectively.

1 (e) HIGHLY ERODIBLE LAND CONSERVATION.—Sec-
 2 tion 1212(e) of the Food Security Act of 1985 (16 U.S.C.
 3 3812(e)) is amended by inserting after the first sentence
 4 the following: “Ineligibility under section 1211 of a tenant
 5 or sharecropper for benefits under section 1211 shall not
 6 cause a landlord to be ineligible for the benefits for which
 7 the landlord would otherwise be eligible with respect to
 8 a commodity produced on lands other than the land oper-
 9 ated by the tenant or sharecropper.”.

10 (f) OTHER CONSERVATION PROVISIONS.—Subtitle F
 11 of title XII of the Food Security Act of 1985 (16 U.S.C.
 12 2005a and 2101 note) is repealed.

13 (g) COMMODITY CREDIT CORPORATION CHARTER
 14 ACT.—

15 (1) The first sentence of section 4(g) of the
 16 Commodity Credit Corporation Charter Act (15
 17 U.S.C. 714b(g)) is amended by inserting before the
 18 period at the end the following: “, except that the
 19 total contractual obligations incurred under the
 20 functions and programs established under subtitle D
 21 of title XII of the Food Security Act of 1985 (16
 22 U.S.C. 3830 et seq.) shall not exceed
 23 \$2,060,000,000 for any fiscal year”.

1 (2) Section 5(g) of the Commodity Credit Cor-
2 poration Charter Act (15 U.S.C. 714c(g)) is amend-
3 ed to read as follows:

4 “(g) Carry out the functions and programs estab-
5 lished under subtitle D of title XII of the Food Security
6 Act of 1985 (16 U.S.C. 3830 et seq.) at a funding level,
7 notwithstanding any other provision of law, that does not
8 exceed a total of \$2,060,000,000 in any fiscal year for all
9 functions and programs combined.”.

10 (h) RESOURCE CONSERVATION.—

11 (1) ELIMINATION.—Subtitles A, B, D, E, F, G,
12 and J of title XV of the Agriculture and Food Act
13 of 1981 (95 Stat. 1328; 16 U.S.C. 3401 et seq.) are
14 repealed.

15 (2) CONFORMING AMENDMENT.—Section 739
16 of the Agriculture, Rural Development, Food and
17 Drug Administration, and Related Agencies Appro-
18 priations Act, 1982 (7 U.S.C. 2272a) is repealed.

19 (i) WETLANDS RESERVE PROGRAM.—Section
20 1237(c) of the Food Security Act of 1985 (16 U.S.C.
21 3837(c)) is amended by striking “1991 through 2000”
22 and inserting “1996 through 2005”.

23 (j) ENVIRONMENTAL EASEMENT PROGRAM.—Section
24 1239(a) of the Food Security Act of 1985 (16 U.S.C.

1 3839(a)) is amended by striking “1991 through 1995”
 2 and inserting “1996 through 2005”.

3 **SEC. 7. EFFECTIVE DATES.**

4 (a) IN GENERAL.—Except as provided in subsection
 5 (b), this Act and the amendments made by this Act shall
 6 become effective on the later of—

7 (1) the date of enactment of this Act; or

8 (2) October 1, 1995.

9 (b) TRANSITION PROVISIONS.—

10 (1) IN GENERAL.—Section 1238I and 1242(d)
 11 of the Food Security Act of 1985 (as added by sec-
 12 tions 4 and 5, respectively, of this Act) shall become
 13 effective on the date of enactment of this Act.

14 (2) 1991 THROUGH 1995 CALENDAR YEARS.—
 15 Notwithstanding any other provision of law, this Act
 16 and the amendments made by this Act shall not af-
 17 fect the authority of the Secretary of Agriculture to
 18 carry out a program for any of the 1991 through
 19 1995 calendar years under a provision of law in ef-
 20 fect immediately before the effective dates prescribed
 21 by this section.

○

S 854 IS—2

S 854 IS—3

S 854 IS—4

S 854 IS—5

S 854 IS—6